IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 14929 of 2000

Between:

Kum.G.S.Hema ….Petitioner

AND

1.The Commissioner of Tribal Welfare Government of A.P., T.S.Bhavan, Masab Tank, Hyderabad 28
2 .State of Andhra Pradesh, Rep. by Its Secretary, Tribal

Welfare Department, Secretariat, Hyderabad
3 .The Convenor, Eamcet 2000 Admissions
Sanketika Vidya Bhavan, Masab Tank,
Hyderabad 28

….Respondents.

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 14929 OF 2000

ORDER:

This Writ Petition is filed, questioning the orders dated 7-8-2000 in proceedings Rc.No. 816/2000/TRI/VC-2, issued by the Commissioner of Tribal Welfare, directing

the Convener, EAMCET-2000, to reject the claim of the petitioner under SC quota.

At the stage of admission, this Court has granted interim order. It is stated, pursuant to the interim order, the petitioner had been admitted to the course, and, completed the same.

As per Rules framed in G.O.Ms.No. 58, dated 12-05-1997 in exercise of powers conferred under Section 20 of the Andhra Pradesh (SC, ST, BCs) Regulation of issue of Community Certificates Act 1993, particularly as per Rule 18 of the AP (SC,ST & BCs) Regulation of Issue of community Certificates Rules, 1997, whenever complaints are received regarding the community claim, after verification, the matter has to be referred to the concerned Collector for cancellation of Caste Certificate issued. As such, even before the matter was referred to the concerned Collector, without verifying the social status of the petitioner, the Commissioner straightaway cannot direct the Convener to reject the claim of the petitioner. In that view of the matter, the impugned order dated 7-8-2000 is fit to be set aside. Accordingly, the Impugned order dated 7-8-2000 in proceedings Rc.No. 816/2000/TRI/VC-2, issued by the Commissioner of Tribal Welfare, is set aside.

The Writ Petition is allowed to the extent indicated above. However, it is open for the competent authority to take steps for cancellation of the caste certificate issued to the petitioner for future purposes, by following the due procedure contemplated under law. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATED: 23-09-2005

Msnr.